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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,445	07/15/2005	Clive Henry Gillard	282556US8XPCT	2744

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EXAMINER	
NEWLIN, TIMOTHY R	
ART UNIT	**PAPER NUMBER**
2424	

NOTIFICATION DATE	DELIVERY MODE
04/16/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/542,445	GILLARD ET AL.	
	Examiner	Art Unit	
	Timothy R. Newlin	2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 February 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/2/2009 has been entered.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-5, 12, 14, 16, 20, and 21 are rejected under 35 U.S.C. 102(a) as being unpatentable over White et al., US 2002/0049979 in view of Monroe, US 2005/0190263.

2. Regarding claims 1, 20, and 22, White discloses a video network and method comprising:

a plurality of video sources to launch onto the network first, higher resolution, video data and second, lower resolution, video data providing a lower resolution representation of the higher resolution video data **[Figs. 1 and 3, paras. 23 and 24; also see server 401, Figs. 4A and 4B, paras. 33-35, para. 47]]**;

at least one destination device operable to process video received via the network **[Figs. 2 and 3 show a client device that processes received video with viewer software, para. 25.]**;

a network switch for selectively routing data from the video sources to the destination devices **[stream control system 302, Fig. 3, para. 25]**; and

a network control arrangement connected to the network switch and having:

a display device **[display 304, Fig. 3]**;

a graphical user interface (GUI) arranged to display, on the display device, the lower resolution representations of video data from at least a subset of the plurality of sources together with identifiers associating the lower resolution representations with the respective sources **[Figs. 2 and 11A]**;

means for user selection, by use of the GUI, of a source of video of the higher resolution and a corresponding destination device **[paras. 25 and 28]**; and

means for controlling the routing of the higher resolution video data from the selected video source to the selected destination device **[paras. 27, 47]**.

White is silent on whether the network carries higher and lower resolution video data from each of the video sources. Monroe, however, teaches a system in which the video network **[see para. 31]** carries both high and low resolution streams from each video source **[cameras C1-C_n, Fig. 1; paras. 17, 28, 30, 77]**. Further, Monroe teaches that each display monitor may display low resolution streams from two or more of the video sources **[paras. 28, 77]**. It would have been obvious to one of ordinary skill that White and Monroe could be combined to result in the claimed invention. Monroe itself suggest that one benefit of carrying simultaneous high resolution signals is that each video stream can be viewed at the full frame rate rather than a lesser quality **[*e.g.*, para. 11]**. In addition, carrying both high and low resolution signals from each camera on the network allows individual display stations to select any combination of display streams without regard to which streams are requested by other monitors **[para. 28]**.

3. Regarding claim 2, White discloses a network in which the network control arrangement comprises a personal computer **[Fig. 3C, para. 36]**.

4. Regarding claim 3, White discloses a network in which the display device is arranged to display a plurality of display areas, each display area displaying the lower resolution representation from a respective video source, together with the associated identifier **[Figs. 2, 9, and 11A, paras. 23, 27]**.

5. Regarding claim 4, White discloses a network in which the GUI provides one or more user-operable switches, identified by the identifiers, for selecting a destination device to be connected to a selected video source **[paras. 24, 28, 47]**.

6. Regarding claim 5, White discloses a network in which the network control arrangement comprises a user input device for selecting display screen areas and the user operable switches are display screen areas selectable by the user input device **[Fig. 3, para. 25]**.

7. Regarding claim 12, White discloses a network according to claim 1, comprising a plurality of destination devices **[plural end users are shown in Fig. 7]**.

8. Regarding claim 14, White discloses a network in which at least one destination device comprises a video display device **[realplayer component 424, Fig. 4C is used to play video on client device]**.

9. Regarding claim 16, White discloses a network in which at least one video source comprises a video camera **[Fig. 1]**.

10. Regarding claim 21, White discloses a network control arrangement comprising a display device **[display 304, Fig. 3; Figs. 2, 9, and 11A]**.

11. Claims 7, 8, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over White and Monroe as cited above.

12. Regarding claims 7 and 8, White does not specifically describe a user-operable button or a drag-and-drop operation to select video sources. However, official notice is taken that using buttons, i.e. a keyboard input, is well-known and common manner in which to provide user input in computer video systems. Likewise, using a mouse—such as the mouse implicitly described in paragraph 28—to drag-and-drop selections is notoriously well-known with respect to graphical user interfaces. It would have been obvious to one skilled in the art to provide user-operable keys or drag-and-drop functionality for the user to quickly and easily select displayed options.

13. Regarding claim 15, White does not specifically teach a video tape recorder. However, White does state that the presentation source could be a storage device such as a disk. Official notice is taken that video tape is a well-known method of storing video and as such, does not distinguish the claim over the prior art. It would have been obvious to one skilled in the art, given the suggestion by White that content may be sourced from a storage medium, to include a video tape recorder as a video source.

14. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over White and Monroe as cited above in view of Gormley, US 5,258,837. White does not include a touch-screen. Gormley does teach a touch-sensitive display screen wherein the user operable switches are display screen areas selectable by the user touching those display screen areas **[col. 4, 36-43]**. It would have been obvious to one of ordinary skill in the art to modify White to inlude the touch screen discloses in Gormley, in order to allow users to make selections using a standalone display, without the need for a keyboard or mouse.

15. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over White and Monroe as cited above in view of Washino, US 5,625,410. White does not show a video switching device. Washino does disclose a video distribution platform in which at least one destination device comprises a video switching device **[video switch 6, Fig. 7]**. Both references take as input several video streams and combine and distribute them. It would have been obvious to one skilled in the art to combine White and Washino, in order to provide users the ability to selectively switch between multiple incoming video streams.

16. Claims 9-11 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over White and Monroe as cited above in view of Atwater et al., US 2002/0048275.

17. Regarding claims 9 and 10, White does not discuss the use of multicast groups. Atwater does teach a packet-based network **[paras. 36-42]** in which the video sources are associated with different respective multicast groups **[paras. 43, 44]**. Furthermore, Atwater states that when communicating via the internet, as White does **[e.g. para. 32 of White]**, there is a need to address quality-of-service (QoS) issues such as channel bandwidth and response times. Given that stated need and the fact that White is transmitting both a high- and a lower-quality versions of the same content, it would have been obvious to one skilled in the art that multicast groups could be set up corresponding which clients are requesting the low- or high-resolution versions respectively. In this manner, fewer servers can be used since each one transmits a specific version to many clients **[also see Atwater, paras. 40 and 42]**.

18. Regarding claim 11, Atwater discloses a network in which the network control arrangement controls routing from a selected video source to a selected destination device by sending a message to the destination device to cause the destination device to join the multicast group of the selected source **[para. 44]**.

19. Regarding claim 17, White discloses a GUI that displays representations of video streams that are being received by user devices **[paras. 58-60; Fig. 9]**, but does not display status information on the GUI. However, Atwater does teach a network in which at least one of the video sources and/or destination devices is arranged to launch status packets providing device status information onto the network **[hosts and routers exchange current status reports via the network, para. 44]**.

Combining the respective elements of White and Atwater by known methods would yield the expected result of displaying such status information in association with a representation of that device on the GUI. Accordingly, it would have been obvious to one of ordinary skill to make the combination and provide status information to a user interacting with the GUI.

20. Regarding claim 18, White discloses a network in which the GUI provides user controls to control the operation of at least one of the video sources and/or destination devices **[para. 25, Fig. 3; control system 302]**. Atwater discloses a network control arrangement operable to transmit control packets providing control information to such a device **[hosts and routers exchange control information via the network, para. 44]**.

21. Regarding claim 19, White discloses a network in which the network control arrangement is arranged to provide access to different respective subsets of representations and/or control functionality to different users of the network **[paras. 25-28, e.g.]**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Newlin whose telephone number is (571) 270-3015. The examiner can normally be reached on M-F, 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
Supervisory Patent Examiner, Art Unit 2424

TRN